

## **CHAPTER 16.40**

### **Parks**

#### **16.40.010 Administration of public parks by Director of Parks and Recreation – appointment.**

The construction, development, planning, operation and maintenance of public parks in the City shall be under the administration of the Director of Parks and Recreation. The Director of Parks and Recreation shall be appointed by the City Manager. (Ord. 1150-99; Ord. 768-90; Ord. 595 84)

#### **16.40.020 Closed hours of parks – designated.**

All public parks within the City shall be closed to the public between the hours of 10:00 p.m. and 5:00 a.m. (Ord. 652 86; Ord. 595 84)

#### **16.40.030 Closed hours of parks – posting notices.**

The Director of Parks and Recreation shall post notices at the entrances of all City parks in conspicuous places therein in conformity with the provisions of this Chapter as to closing hours, sufficient to inform the public of the closing hours in such parks. (Ord. 369-06; Ord. 595 84)

#### **16.40.040 Closed hours of parks – violation unlawful – exceptions.**

It is unlawful for any person to be within the parks between the hours of 10:00 p.m. and 5:00 a.m. unless travel on park streets therein is necessary for through traffic for those residing in areas adjoining such parks or unless on occasions or events of a public nature for which a permit has been previously granted by authority of the City. This prohibition shall not extend to persons employed within such parks or to persons who have obtained permission, in writing, from the Director of Parks and Recreation for entry into parks during such hours. (Ord. 369-06; Ord. 1150-99; Ord. 652 86; Ord. 595 84)

#### **16.40.050 Vandalism and interference with facilities or vegetation unlawful.**

It is unlawful for any person to injure, damage, remove, deface or destroy any City park facility, tree, shrub, vine, flower or other property within any City park or to commit any act of vandalism therein. (Ord. 595 84)

#### **16.40.060 Orderly conduct required – certain behavior prohibited.**

All persons making use of any public park in the City shall at all times conduct themselves in an orderly manner and shall not disport themselves in a loud, boisterous or unseemly manner or in such fashion as to disturb, be offensive to or annoy other users of such park or residents adjacent thereto. (Ord. 595 84)

#### **16.40.070 Glass containers prohibited.**

It is unlawful for any person to bring, use or possess a glass container in a public park within the City. (Ord. 652 86)

#### **16.40.080 Alcohol restricted – public parks and facilities.**

It shall be unlawful for any person to serve, consume or have any open container of alcoholic beverages within the Riverside Park Ball Fields and the adjacent parking area without the issuance of a special permit. It is also unlawful for any person to serve, consume or have any open container of alcoholic beverage (except as permitted by Section 12-47-411(3.5), C.R.S., for vinous liquor) when on, in or using, by conveyance or otherwise, any public street, parking lot, alley, park, public place, avenue or sidewalk within the City, with the exception that alcoholic beverages with six percent (6%) or less alcohol content may be consumed in the parks of the City (outside the Riverside Park Ball Fields and adjacent parking area) and with the exception that alcohol may be consumed upon issuance of a special permit within the confines of the Evans Community Complex. (See also Subsections 5.08.230A and 5.08.230B of this Chapter). Any consumption of alcohol at the Evans Community Complex or within Riverside Park Ball Fields and its adjacent parking area will be restricted to approved City issued permit holders and such permit holders shall follow all rules and regulations set forth at the Complex and all other applicable laws pertaining to the consumption of alcohol in the City. (Ord. 292-04; Ord. 022-00; Ord. 1044-97)

#### **16.40.090 No smoking at Riverside Park Ball Fields.**

As provided in Section 8.18.030 of this Code, and in order to reduce the levels of exposure to environmental tobacco smoke, smoking shall not be permitted and no person shall smoke in any area within the fenced area of the Riverside Park Ball Fields. (Ord. 427-08)

#### **16.40.100 No open fires.**

It shall be unlawful for any person to start or maintain an open fire except in designated receptacles provided in the park by the City and except for persons employed within such parks by the City or to persons who have obtained permission, in writing, from the Fire Chief and the Director of Parks and Recreation. (Ord. 1150-99; Ord. 768-90)

#### **16.40.110 No boating or swimming – variance provision.**

A. It shall be unlawful for any person to use any type of boat, floatation device or inflatable boat on any City lake. It shall further be unlawful for any person to swim, wade or enter the water at any City lake.

B. Application for a variance to this Section shall be submitted to the Parks and Recreation Commission. Such application shall include a statement setting forth the nature and extent of the requested variance, together with evidence supporting need for such variance. Once a completed application for a variance has been submitted to and heard by the Parks and Recreation Commission, its recommendation shall be forwarded to the City Council for consideration and final decision at the next regular council meeting. (Ord. 1150-99; Ord. 768-90)

#### **16.40.111 Dogs in parks.**

It shall be unlawful for any dog to be in any public lake or body of water and will be considered a public nuisance when in any lake or body of water. Controlled dogs are allowed on City-owned parks, trails and open space. A controlled dog must be on a leash ten (10) feet or less in length, attached to the dog and held by or tied to a person (see also Section 6.04.020, "Control required – running at large prohibited" of this Code). Any owner, taking the animal upon any public way or other public property in the City, shall immediately remove or cause to be removed and lawfully dispose of all fecal matter left on

such property by the animal (see also Section 6.04.130, "Animal defecation – owner responsibility" of this Code). (Ord. 426-08; Ord. 369-06)

**16.40.112 Off-leash dog park.**

Dogs may be allowed off-leash only within designated off-leash dog parks in the City. Dogs must be under voice control and in sight of the owner at all times and owners must follow all posted rules and regulations while in the dog park. Any owner, taking the animal in to any dog park, shall immediately remove or cause to be removed and lawfully dispose of all fecal matter left on such property by the animal. (Ord. 426-08)

**16.40.120 Violation – penalty.**

Any person who violates any of the provisions of this Chapter is guilty of a violation of this Chapter and shall be punished as provided in Section 1.16.010 of this Code. (Ord. 842-92; Ord. 768-90)